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BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
CHARLES BILLS)
v) No. 16-0207
AQUA ILLINOIS, INC.)
Complaint as to large charges)
for water & sewer usage on)
property, when the dates of)
large usage, the property was)
vacant in Popular Grove,)
Illinois.)

Chicago, Illinois
April 25, 2016

Met pursuant to notice at 11:00 a.m.

BEFORE:
MR. JOHN RILEY, Administrative Law Judge.

APPEARANCES:

MR. CHARLES BILLS
1309 West Highland Avenue
Elgin, Illinois 60123
appeared pro se;

1 APPEARANCES: (Cont'd.)

2

3 SPESIA & AYERS, by
4 MR. CHRISTIAN G. SPESIA
5 1415 Black Road
6 Joliet, Illinois 60435
7 appeared for Respondent.

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ALSO PRESENT:

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MRS. CHARLES BILLS

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22 SULLIVAN REPORTING COMPANY, by
Teresann B. Giorgi, CSR
084-000977

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1 I N D E X

2 Dir. Crx. Re- Re- By

3 Witnesses: dir. crx. dir. crx. Examiner

4 NONE

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8 E X H I B I T S

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10 APPLICANT'S FOR IDENTIFICATION IN EVIDENCE

11 NONE

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1 JUDGE RILEY: Pursuant to the direction of
2 the Illinois Commerce Commission, I call
3 Docket 16-0207.

4 This is a complaint by Charles Bills
5 as to large charges for water & sewer usage on
6 property when the dates of large usage the property
7 was vacant in Popular Grove, Illinois.

8 And, Mr. Bills, you are proceeding
9 without counsel at this point, is that correct?

10 MR. BILLS: Yes.

11 JUDGE RILEY: All right. And service address in
12 question is 131 Columbia Street in Poplar Grove,
13 Illinois?

14 MR. BILLS: Yes.

15 JUDGE RILEY: All right. Thank you.

16 Mr. Spesia, would you enter an
17 appearance on behalf of Aqua.

18 MR. SPESIA: Chris Spesia, S-p-e-s-i-a, 1415
19 Black Road, Joliet, Illinois 60435, on behalf of
20 Aqua Illinois.

21 JUDGE RILEY: All right. Thank you.

22 Mr. Bills, just turning to your

1 complaint I'm having some difficulty finding out
2 just when the water was on and when the water was
3 off.

4 MR. BILLS: Okay. The water was turned on --
5 there was no water on in November. The water was
6 turned on November the 20th, turned back off
7 November the 30th.

8 JUDGE RILEY: Okay. This is 20- -- just last
9 year, right?

10 MR. BILLS: Yes.

11 JUDGE RILEY: 2015.

12 MR. BILLS: 2015.

13 JUDGE RILEY: It was turned off November 30th.

14 MR. BILLS: Yes.

15 JUDGE RILEY: And was it ever turned on after
16 November 30?

17 MR. BILLS: We had -- the house had been listed
18 for sale and we had a possible buyer and we needed
19 the water turned on for the inspector to check the
20 water and stuff at the property.

21 They turned the water back on
22 December the 4th, 2015.

1 JUDGE RILEY: And what is your complaint going
2 to, the fact that you were charged for water while
3 the water was turned off?

4 MR. BILLS: Okay. We had -- the water was
5 turned on on December the 4th and we checked on --
6 we got a water bill from them saying that the water
7 bill was 570 bucks. And I called them and
8 questioned them, How could the water bill be that
9 high and no one was there? And we found out later
10 that the realtor -- the bank that had the inspector
11 come by, left the water running for four days.

12 JUDGE RILEY: That was the inspector from the
13 bank?

14 MR. BILLS: Inspector for the bank. Yes.

15 JUDGE RILEY: And was that period, December 4th
16 through December 9th?

17 MR. BILLS: Yes.

18 JUDGE RILEY: Now was this -- when you say he
19 left the water running, was this just like water
20 from a tap?

21 MR. BILLS: Yes, from a tap in the laundry room.
22 Just running down the sink in the laundry room.

1 I called my realtor and asked my
2 realtor to check with the realtor who was for the
3 buyers to go through and check to see why was the
4 water bill so high. She went over and that's when
5 she found out the water had been left on by the
6 inspector. She turned the water off. And I told
7 her make sure that there's no other water running in
8 the house before you leave. And there was no water
9 running in the house on December the 9th, that's
10 when she turned the water off.

11 JUDGE RILEY: And there's been no water on at
12 the premises --

13 MR. BILLS: They left the -- Aqua didn't turn
14 the water off. They just left the water run -- I
15 mean, the service on.

16 JUDGE RILEY: They left the service on.

17 MR. BILLS: Yes.

18 When I got the first bill, I looked at
19 what was going on and I just said, Okay, fine, we'll
20 take a look at this. And I contacted the bank you
21 had hired the inspector company and the water being
22 left on by one of them.

1 And I was just thinking, well, the
2 water bill is \$500 and we had -- I said, Okay, fine,
3 that was a possibility. But then when I looked at
4 the usage of the water and it was like 22,000
5 gallons of water and I just said, Wait, wait, wait,
6 22,000 gallons of water in the period of time you're
7 talking about, it just doesn't make sense.

8 So I had one of the maintenance guys
9 at Aqua in Kindlewick (phonetic) --

10 THE REPORTER: I'm sorry.

11 MR. BILLS: It's called Kindlewick Lakes
12 apartment complex.

13 So he came out -- that's when I called
14 him and told him, I got another bill from them for
15 almost the same amount of water used and one of them
16 was for nine days and the other for 12 days.

17 And after I got the second one for
18 500 and some dollars, I said, Okay, wait a minute,
19 something has got to be wrong because these two
20 bills are almost identical. One was left on by an
21 inspector. The other one, there was no one in the
22 house at all. There was no entry in or out of the

1 house at all at that period that the second bill
2 came out. And that's when I said, Okay, something
3 is wrong someplace.

4 And that's when I decided to file a
5 complaint based on that amount of water and sewage
6 being done within like 30 days. And it come out to
7 be like 40- -- 49,000 gallons of water and sewage
8 for those days.

9 JUDGE RILEY: And you say this has happened with
10 no one living there at all?

11 MR. BILLS: There was no one in the building --
12 no one has lived in the house since May, almost a
13 year. The last tenant that lived there was April
14 the 30th.

15 JUDGE RILEY: Mr. Spesia, does Aqua -- what is
16 Aqua's response so far?

17 MR. SPESIA: You know, and I apologize your
18 Honor, because I didn't have this on my calendar, I
19 haven't had a chance to talk to the company about
20 their position.

21 Here's what I suggest, if we could get
22 kind of a short date, I'll follow up with Aqua and

1 then I'll have someone contact Mr. Bills and at
2 least let him know where things stand.

3 I'm clear on was the first bill paid
4 then by Mr. Bills?

5 MR. BILLS: No.

6 JUDGE RILEY: So both of these amounts that
7 you've alleged in your complaint, these are both
8 outstanding?

9 MR. BILLS: Yes, both outstanding.

10 JUDGE RILEY: Mr. Spesia, one is \$570.19 and the
11 other one is 556.55.

12 MR. SPESIA: It sounds like he's accepting
13 responsibility for the first one.

14 MR. BILLS: Well, I was going to, but after I
15 saw that the second bill came out with the same
16 amount used, that red flagged me that something is
17 wrong because there's no way the water and sewage
18 bill could almost be identical, one of them is the
19 water being left on and the other being nobody in
20 the place at all and they have almost the same
21 dollar amount and the same usage. So that's when I
22 decided that we better check why the bills are

1 identical, one is uses of water and the other was no
2 water being there at all.

3 JUDGE RILEY: So, you're conceding nothing at
4 this point.

5 MR. BILLS: Conceding nothing.

6 JUDGE RILEY: All right. I understand that.

7 But I am also inclined to go with
8 Mr. Spesia's suggestion that he'll go to the company
9 with this and get their position, find out what
10 their stance is.

11 MR. BILLS: You know, I've gone to this company
12 since November of 2015. They will have somebody
13 call me back, somebody from Aqua contact me, he
14 never did.

15 I have the house for sale. Somebody
16 is going to be doing an inspection this week. If
17 the water is not turned on then I'm totally
18 responsible about selling that house with the meter
19 on in a bad situation, and nobody is responding to
20 that.

21 I've been trying to deal with this for
22 four months. And they keep -- somebody going to

1 call you back and they never call you back.

2 JUDGE RILEY: Is the service on as we speak?

3 MR. BILLS: No, there's no service on. So, they
4 can't even inspect the house by FHA.

5 JUDGE RILEY: So, after the tap water had been
6 turned off by the realtor last December, when was --

7 MR. BILLS: The water was turned off completely
8 in January of 2016. There's been no water there
9 since January of 2016.

10 MR. SPESIA: I thought there was mention of a
11 tenant there until April. Was that the prior year?

12 JUDGE RILEY: That was 2015.

13 You're saying from May of last year
14 all the way around to the present time there's been
15 no one living in the dwelling?

16 MR. BILLS: No one living in that place.

17 JUDGE RILEY: It appears to me that we're not
18 going to be able to do much more until Mr. Spesia
19 has a chance to talk to the Respondent, to the water
20 company.

21 MR. SPESIA: Is there a good phone number for
22 Mr. Bills for an Aqua individual to call him?

1 MR. BILLS: Yes. They have my phone number.
2 They should have it on record. I've called them
3 enough about this bill.

4 MR. SPESIA: Can you give me that number right
5 now and I'll make sure that I pass it along?

6 MR. BILLS: 847-608-1640.

7 MR. SPESIA: Okay.

8 MRS. BILLS: Want to give them your cell number,
9 too, if nobody is home?

10 MR. SPESIA: Yes, your best contact number would
11 be appreciated.

12 MR. BILLS: Okay. That number is the residence.
13 And my cell number is 224-558-1712.

14 MR. SPESIA: Okay.

15 MR. BILLS: Because I've been trying to
16 negotiate with them on this bill to try to get it
17 taken care of because right now if I can't get an
18 inspector then I'm also losing the sale of this
19 property and it's costing me money out of my pocket.

20 JUDGE RILEY: That's very much understood. And
21 that's why I want to move this thing along as fast
22 as we can and try to get some kind of resolution.

1 MR. SPESIA: Judge, I promise you that somebody
2 will call him at one of these numbers.

3 JUDGE RILEY: Okay. It sounds like it's a bit
4 of a priority. So, we're going to want to revisit
5 this thing in a few weeks.

6 MR. SPESIA: And I can circulate a call-in
7 number at that time, too, Mr. Bills, so you don't
8 have to show up -- physically show up.

9 JUDGE RILEY: We can do this telephonically --

10 MR. BILLS: Okay.

11 JUDGE RILEY: -- so you won't have to come back
12 down, all the way Downtown.

13 That's very much appreciated,
14 Mr. Spesia.

15 MR. SPESIA: Does Mr. Bills have an e-mail
16 address? Is that a good way that I could circulate
17 a call-in number to his e-mail?

18 JUDGE RILEY: Yes. You should have access to --
19 you know, it's on the complaint.

20 MR. SPESIA: Okay. If it's on the complaint,
21 I'll use that.

22 JUDGE RILEY: It's the papa1309?

1 MR. BILLS: Right.

2 JUDGE RILEY: Yeah, it's right on the complaint.

3 And it has both of the phone numbers.

4 MR. SPESIA: Okay. Great.

5 JUDGE RILEY: Now, what date would be good and

6 reconvene on this thing by telephone?

7 MR. BILLS: Any day. I mean, I need it done

8 like yesterday.

9 JUDGE RILEY: Well, we've got to give Mr. Spesia

10 a chance to get in touch with the company and --

11 MR. BILLS: You know what -- but I got a letter

12 from them saying that this Spesia is on this file.

13 He knew that this thing was supposed to happen

14 today.

15 JUDGE RILEY: Well, that I can't explain.

16 MR. SPESIA: Yeah, and I can't either. I

17 apologize because I did not receive the Notice and I

18 think it probably did go out before I entered my

19 appearance.

20 JUDGE RILEY: Would you be contacting the

21 company today?

22 MR. SPESIA: Yes. Yes.

1 JUDGE RILEY: Okay. Today is the 25th --

2 MR. BILLS: Because I kept all the e-mails and I
3 know --

4 JUDGE RILEY: We're going to have to set a date
5 to reconvene.

6 MR. BILLS: That is what I got from the Clerk.
7 He got the same letter that I got (indicating).

8 JUDGE RILEY: Right. I understand. I
9 understand. I don't know what the discrepancy was.

10 MR. SPESIA: It did not make it to my calendar
11 and I didn't see a Notice. But again, that's my
12 fault.

13 JUDGE RILEY: Well, let's set a date to
14 reconvene.

15 And I understand, Mr. Bills, you need
16 this done immediately. The sooner that Mr. Spesia
17 can contact the company, the sooner they can get in
18 touch with you.

19 But for now I imagine just putting
20 this over for a couple of weeks and maybe coming
21 back to revisit it on -- would May 9th be okay.

22 MR. SPESIA: Yeah, May 9th is fine.

1 JUDGE RILEY: Make the call at 11:00 a.m.?
2 MR. SPESIA: Yeah, that's fine.
3 JUDGE RILEY: Is that okay with you, Mr. Bills?
4 MR. BILLS: Yes.
5 MR. SPESIA: Okay. I'll follow up from this
6 end.
7 And again, I apologize to Mr. Bills
8 and to you, Judge.
9 JUDGE RILEY: Okay. No, that's understood.
10 The idea is let's get it moving going
11 forward now.
12 MR. SPESIA: Okay. We'll do that.
13 JUDGE RILEY: Yeah, the sooner you can get in
14 touch with the company, the sooner they can get in
15 touch with Mr. Bills to see exactly what the status
16 of this is.
17 MR. SPESIA: Okay.
18 JUDGE RILEY: All right. And we'll get back
19 together again.
20 And, Mr. Spesia, again, if you want to
21 circulate a call-in number for Monday, May 9, at
22 11:00 a.m., that would be most expeditious.

1 MR. SPESIA: Okay. I'll do that.

2 JUDGE RILEY: All right. Thank you very much.

3 MR. SPESIA: Thank you.

4 JUDGE RILEY: We will reconvene on for a status.

5 (Whereupon, Mr. Spesia

6 ended the call.)

7 JUDGE RILEY: The company should be getting in

8 touch with you very shortly. Now that the attorney

9 is involved that should expedite things.

10 MR. BILLS: He's complaining that he didn't get

11 it. They gave me the same letter they sent to him

12 with his name on it.

13 JUDGE RILEY: I understand that and I don't know

14 what the discrepancy was. Again, I don't know why

15 he didn't get the Notice.

16 MR. BILLS: That's the kind of stuff that I've

17 been having with Aqua from the beginning.

18 JUDGE RILEY: I know. I understand.

19 MR. BILLS: They say they don't this and they

20 don't have this and this has been going on for

21 like --

22 JUDGE RILEY: Right. I understand that, but

1 there's no way for us to be able to resolve that
2 here. I mean, he has the Notice now and the idea is
3 let's go forward from here and see what the company
4 has to say and see if they can look for some kind of
5 resolution.

6 I know you have serious time
7 constraints with regard to the sale of the property.

8 MR. BILLS: It is a --

9 JUDGE RILEY: The Commission can't --

10 MR. BILLS: Yeah, I understand.

11 JUDGE RILEY: -- compel a solution to that.

12 So, anyway, that's where we are. Wait
13 and see what the company has to say.

14 MRS. BILLS: Will we be able to get this
15 resolved before -- you have what the closing date on
16 the --

17 MR. BILLS: Closing date on the 21st.

18 JUDGE RILEY: Of May?

19 MR. BILLS: Of May.

20 JUDGE RILEY: It's conceivable. I can't
21 guarantee --

22 MR. BILLS: My realtor has -- an inspector is

1 supposed to come the day after tomorrow. And I
2 don't know what's going to happen when they can't
3 turn the water on.

4 JUDGE RILEY: The best that I can tell you from
5 the Commission standpoint is, wait until the company
6 gets in touch with you.

7 MR. BILLS: Okay.

8 JUDGE RILEY: And, again, with the attorney for
9 the company now involved, there should be more
10 action than you've -- they should be taking more
11 action than you've received so far.

12 But in the meantime that's where we
13 are.

14 MR. BILLS: I mean, I realize your position,
15 Judge. But the only thing is, if I get a Notice
16 almost a month and your name is on this thing for a
17 month, and you're the attorney representing them and
18 you're telling me now that you didn't receive
19 anything, it just doesn't make any sense to me.

20 JUDGE RILEY: No, it doesn't, but I can't do
21 anything about that. I don't know what the
22 explanation is.

1 Anyway, we're going to reconvene on
2 May 9, 2016 at 11:00 a.m.

3 And we're off the record.

4 (Whereupon, the matter
5 was continued to May 9,
6 2016 at 11:00 a.m.)

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